IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33645 of 2008
TENGARI SINGH SON OF KASHI SINGH
RESIDENT OF VILLAGE MOHANPUR,P.S.BHAGWANPUR,DISTRICT KAIMUR(BHABUA)
Versus
STATE OF BIHAR
With
Cr.Misc. No.43562 of 2008
RAM PRAVESH MALLAH @ RAM PRAVESH CHAUDHARY SON OF MUKHADEV MALLAH
RESIDENT OF VILLAGE KISHUN PATTI, POLICE STATION SONHAN,
DISTRICT KAIMUR(BHABUA)
Versus
STATE OF BIHAR

3/ 3.12.2008 Since both the above applications arise out of one and the same police case, they have been heard together and are being disposed of by this common order.

The petitioners are accused of a case which has been registered for offences under Sections 302 and 201/34 of the Indian Penal Code. Petitioner of Cr.Misc.No. 43562 of 2008 Ram Pravesh Mallah is not named in the first information report. Petitioner Tengari Singh of Cr.Misc.No. 33645 of 2008 and three others are named accused.

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According to allegation, the informant's younger brother was killed. The motive of the occurrence is illicit relationship of the petitioners which was opposed by the deceased. The deceased on false pretext was taken away and later on his dead body was found.

Submission is that there is no eye witness of the occurrence, the mutilated dead body of the deceased was recovered after long lapse of time and during investigation, the witnesses have only raised some suspicion.

Considering the facts and circumstances of

the case, let the above named petitioners of both the applications be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabua in Bhagwanpur P.S.Case No. 85 of 2007.

Tahir/- **(Shyam Kishore Sharma, J.)**

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